

Guidelines for Conditional Voluntary Admissions at Designated Hospitals

The Division of Mental Health, of the Vermont Department of Health, proposes the following guidelines to Designated Hospitals concerning the use of "conditional voluntary" admission agreements. "Conditional Voluntary Admissions" refers to State Statute Title 18, Chapter 189, § 8010. Voluntary patients; discharge; detention sub-section (a) If a voluntary patient gives notice in writing to the head of the hospital of his desire to leave the hospital, he shall promptly be released unless he agreed in writing at the time of his admission that his release could be delayed.

Persons agreeing to voluntarily be admitted to a psychiatric unit or hospital should be offered "unconditional or truly voluntary" admission unless the person meets one of the following clinical criteria:

- 1) The person presents for admission in circumstances that would otherwise qualify for an emergency examination;
- 2) There is known or reliably reported events of impulsive behavior that have resulted in dangerousness or seriously deteriorated condition; or
- 3) The person requests the hospital delay a response to their asking for immediate discharge.

If any of the above condition/s exists, the hospital may offer a voluntary status that includes the agreement to allow the hospital to hold the person for up to four days after their request for discharge if the hospital believes the patient is in need of further treatment and is concerned about the safety of releasing the person.

This voluntary admission with conditions is allowed under the same statute cited above, sub-section (b) In that event and if the head of the hospital determines that the patient is a patient in need of further treatment, the head of the hospital may detain the patient for a period not to exceed four days from receipt of the notice to leave. Before expiration of the four-day period the head of the hospital shall either release the patient or apply to the district court in the district in which the hospital is located for the involuntary admission of the patient. The patient shall remain in the hospital pending the court's determination of the case.